

**MODEL CODE OF CONDUCT – STANDARDS BOARD NOTIFICATIONS**  
**(Report by the Executive Director of Central Services**  
**and Monitoring Officer)**

**1. INTRODUCTION**

1.1 In accordance with the procedure adopted by the Standards Board for England for the investigation of allegations, the Monitoring Officer has been notified of the Board's decision in respect of:-

- ◆ allegations made by the Parish Council of Needingworth-cum-Holywell against nine District Councillors serving on the Development Control Panel (Case 1);
- ◆ allegations by the Chairman of Southoe and Midloe Parish Council against four of his colleague Parish Councillors (Case 2); and
- ◆ allegations by four Members of Southoe and Midloe Parish Council against their Chairman (Case 3).

**2. DETAILS OF CASE 1**

2.1 It had been alleged by the Parish Clerk to Needingworth-cum-Holywell Parish Council that at a meeting of the District Council's Development Control Panel on 15th September 2003 Councillors had pre-judged an application relating to development adjacent to Manor Farm, Back Lane, Holywell, determined the application with very little debate and gave consent to the development by way of a "legal loophole" contrary to planning policy.

2.2 On 12th November 2003, the Standards Board for England considered the allegations and decided not to refer the cases to an Ethical Standards Officer (ESO) for investigation.

2.3 The notification of the decision of the Board states "that the fact that a planning application was allegedly determined expeditiously does not of itself suggest that the Members involved predetermined the application in a manner which would indicate a failure to comply with the Authority's Code of Conduct. The Board noted that Members of the Panel approved the recommendation of the Authority's Development Control Officer".

2.4 Therefore, the Board decided not to take any further action in relation to these cases.

**3. DETAILS OF CASES 2 AND 3**

3.1 The background to Cases 2 and 3 concerns highways issues and the proposed solutions to the problems caused to villagers in Southoe and Midloe by the A1 Trunk Road.

3.2 Following the Parish Council meeting in August a letter and questionnaire had been despatched to residents in the village emphasising a preference for a particular traffic management scheme to which was attached a disclaimer stating that this represented the personal view of four Councillors and not the Parish Council. It had been alleged by the Chairman of the Parish Council that in circulating

the letter and questionnaire and in seeking to include the findings in a relevant item on the Parish agenda, the Members against whom allegations had been made had misused their positions as Parish Councillors and as a result brought their authority into disrepute. It was also alleged, in relation to a meeting of the Parish Council in July that upon an equal split vote, the Chairman should have had the casting vote.

- 3.3 With regard to Case 3, a number of allegations had been made by four Members of Southoe and Midloe Parish Council against their Chairman. Principally these related to the conduct of various meetings of the Parish Council and with bodies not sanctioned by the Council, the behaviour of the Chairman and his failure to declare relevant interests.
- 3.4 On 29th October 2003, the Standards Board for England considered the allegations received and in respect of the case made against the four Members of the Parish Council concluded that the complaint should not be investigated further as the alleged conduct would not have involved any failure to comply with the Authority's Code of Conduct. However, in terms of an allegation against the Chairman of the Parish Council, the Standards Board has agreed to refer the case to an Ethical Standards Officer (ESO) for investigation. As part of the investigative process, the Monitoring Officer will be contacted by the ESO in due course.
- 3.5 Members will recall that at the conclusion of the investigation, the ESO may conclude that:-
- ◆ there is no evidence that the Member has broken any part of their local code of conduct;
  - ◆ no further action needs to be taken in relation to the matter investigated;
  - ◆ the matter should be referred to the Monitoring Officer of the relevant authority; or
  - ◆ the matter should be referred to the Adjudication Panel for England.
- 3.6 A report on the outcome will be submitted to a future meeting.

#### **4. CONCLUSION**

- 4.1 The Committee is invited to note that the Standards Board for England has agreed not to take any further action in relation to allegations made against nine Members of the District Council's Development Control Panel and four ordinary Members of the Southoe and Midloe Parish Council but has referred to an ESO a complaint made against the Chairman of that Parish Council.

#### **BACKGROUND PAPERS**

Letters received from the Standards Board for England dated 30th October and 1st November 2003.

**Contact Officer: Christine Deller, Democratic Services Manager -  
Tel: (01480) 388007.**